

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NOLAN CAIN,

Plaintiff,

vs.

AARON M. STANGER,

Defendant.

4:23CV3195

ORDER

This Court's local rules provide that, if a motion requires the Court to consider any factual matters not stated in the pleadings, a party supporting or opposing the motion must support the factual assertion with evidentiary materials. A party must also identify and authenticate any documents offered as evidence with an affidavit. NECivR. 7.1(a)(2), (b)(2).

On December 10, 2024, Defendant filed a motion to reconsider, [Filing No. 64](#), the undersigned's findings and recommendation that the Court grant Plaintiff's motion for sanctions and enter default against Defendant. [Filing No. 63](#). Upon review of Defendant's motion, the undersigned finds Defendant did not submit evidence in accordance with the applicable rules.

Accordingly,

IT IS ORDERED:

- 1) On or before December 17, 2024, Defendant shall file and serve evidentiary materials in support of his motion to reconsider in accordance with NECivR. 7.1. If Defendant fails to timely comply with this Order, the Court will rule on the pending motion without considering Defendant's evidence.

2) Plaintiff may file a response in opposition to Defendant's motion to reconsider on or before December 31, 2024. The Court will rule on the pending motion without considering Plaintiff's evidence if Plaintiff does not timely file and serve evidence pursuant to the local rules.

3) Any reply shall be filed pursuant to the local rules.

Dated this 13th day of December, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge